

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARK A. ATKINSON  
SIHONG SONG  
SCOTT A. LOILER

Group Art Unit: Unknown

Examiner: Unknown

Serial No.: Unknown

Atty. Dkt. No.: 4300.014500

Filed: Concurrently Herewith

Customer No.: 23720

For: rAAV VECTOR-BASED  
COMPOSITIONS AND METHODS FOR  
THE PREVENTION AND TREATMENT  
OF MAMMALIAN DISEASES

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

EXPRESS MAILING LABEL  
37 C.F.R. § 1.10

I hereby certify that this paper is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" (Number EV 405388132 US) service on the date indicated and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

October 19, 2004  
Date

*Shen C. Sun*  
Signature

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed foreign patent documents and journal articles required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner. Because the filing date of the present application is after June 30, 2003, copies of the listed U.S. patents are not included.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed within three months of the filing date of this patent application or prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Director is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/4300.014500.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON  
CUSTOMER NUMBER 23720

Date: October 19, 2004




---

Mark D. Moore, Ph.D.  
Reg. No. 42,903  
10333 Richmond, Suite 1100  
Houston, Texas 77042  
(713) 934-4084  
(713) 934-7011 (facsimile)

AGENT FOR APPLICANTS

Form PTO-1449 (modified)

Atty. Docket No.  
4300.014500Serial No.  
Unknown

10/512008

List of Patents and Publications for Applicant's

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Applicant

Mark A. Atkinson, Sihong Song and Scott A. Loiler

Filing Date:

Concurrently Herewith

Group:

Unknown

U.S. Patent Documents

See Page 1

Foreign Patent Documents

See Page 1

Other Art

See Page 1

## U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	6,136,597	10/24/00	Hope <i>et al.</i>	435	325	

## Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 99/55564	11/04/99	PCT	B60S	1/08	

## Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	PCT Search Report from PCT/US03/12324
	C2	Apparailly <i>et al.</i> , "Tetracycline-Inducible Interleukin-10 Gene Transfer Mediated by an Adeno-Associated Virus: Application to Experimental Arthritis," <i>Human Gene Therapy</i> , 13:1179-88, 2002
	C3	Flotte <i>et al.</i> , "Efficient Ex Vivo Transduction of Pancreatic Islet Cells With Recombinant Adeno-Associated Virus Vectors," <i>Diabetes</i> , 50:515-20, 2001
	C4	Goudy <i>et al.</i> , "Adeno-associated virus vector mediated IL-10 gene delivery prevents type 1 diabetes in NOD mice," <i>PNAS</i> , 98:13913-18, 2001
	C5	Kapturczak <i>et al.</i> , "Adeno-Associated Virus (AAV) as a Vehicle for Therapeutic Gene Delivery: Improvements in Vector Design and Viral Production Enhance Potential to Prolong Graft Survival in Pancreatic Islet Cell Transplantation for the Reversal of Type 1 Diabetes," <i>Current Molecular Medicine</i> , 1:245-58, 2001
	C6	Mah <i>et al.</i> , "Improved Method of Recombinant AAV2 Delivery for Systemic Targeted Gene Therapy," <i>Molecular Therapy</i> , 6:106-12, 2002
	C7	Song <i>et al.</i> , "Sustained secretion of human alpha-1-antitrypsin from murine muscle transduced with adeno-associated virus vectors," <i>Proc. Natl. Acad. Sci. USA</i> , 95:14384-88, 1998
	C8	Song <i>et al.</i> , "Stable therapeutic serum levels of human alpha-1 antitrypsin (AAT) after portal vein injection of recombinant adeno-associated virus (rAAV) vectors," <i>Gene Therapy</i> , 8:1299-306, 2001
	C9	Yang <i>et al.</i> , "Suppression of Autoimmune Diabetes by Viral IL-10 Gene Transfer." <i>J. Immunology</i> , 168:6479-85, 2002

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.